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**CENTRAL FAX CENTER****SEP 12 2006****FAX TRANSMISSION****DATE:** September 12, 2006**PTO IDENTIFIER:** Application Number 10/767,812-Conf. #5699  
Patent Number**Inventor:** Jack D. Patterson et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** RADER, FISHMAN & GRAUER PLLC  
Michael B. Stewart**PHONE:** (248) 594-0633**Attorney Dkt. #:** 65856-0055**PAGES (Including Cover Sheet):** 6**CONTENTS:** Issue Fee Transmittal (1 page - in duplicate)  
Comments on Statement of Reasons for Allowance Under 37 Cfr §1.104(e) (2 pages)  
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39533 Woodward Avenue, Suite 140, Bloomfield Hills, Michigan 48304  
Telephone: (248) 594-0600 Facsimile: (248) 594-0610

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CENTRAL FAX CENTER

SEP 12 2006

PTO/SB/97 (09-04)

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Application No. (if known): 10/767,812

Attorney Docket No.: 65856-0055

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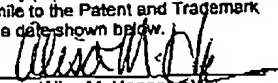
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Comments on Statement of Reasons for Allowance Under 37 Cfr  
§1.104(e) (2 pages)

SEP 12 2006

Docket No.: 65856-0055  
(PATENT)

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Dated: September 12, 2006 Signature:   
(Alisa M. Haggen)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jack D. Patterson et al.

Allowed: June 14, 2006

Application No.: 10/767,812

Confirmation No.: 5699

Filed: January 29, 2004

Art Unit: 2857

For: DATA LINK TESTER FOR HEAVY  
DUTY VEHICLES

Examiner: M. C. Baran

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE UNDER 37 CFR  
§1.104(E)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant has received the Examiner's Statement of Reasons for Allowance with the June 14, 2006 Notices of Allowance and Allowability regarding the above-identified application. Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner. Each of the claims stands on its own merits and is patentable because of the combination it recites and not because of the presence or absence of any one particular element. Applicant agrees with the Examiner's conclusions regarding patentability, without necessarily agreeing with or acquiescing in the Examiner's reasoning. For example, comments made by the Examiner may be applicable to some of the independent claims, but are not applicable to other independent claims that lack such a recitation (e.g., allowed independent claim 28 lacks the recitation of a roster let alone the additional language noted in the comments with respect to such a roster). Moreover, recitations noted by the Examiner do not necessarily accurately reflect the actual claim language. Further, while the Examiner refers to certain claim recitations, he does not comment on other recitations that may be present in one or more claims and also define over the prior art.

Application No.: 10/767,812

Docket No.: 65856-0055

The Examiner's Statement was not prepared by Applicant and only contains the Examiner's possible positions in one or more reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant. Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 65856-0055 from which the undersigned is authorized to draw.

Dated: September 12, 2006

Respectfully submitted,

By   
Michael B. Stewart

Registration No.: 36,018

RADER, FISHMAN &amp; GRAUER PLLC

Correspondence Customer Number: 10291

Attorney for Applicant